

PRP FAX  
DeLeo Recycling  
63140

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August 17, 1988

MS. DONNA MC CARTNEY  
U.S. EPA Region III  
PA CERCLA Remedial Enforcement Section (3HW12)  
841 Chestnut Street, 6th Room  
Philadelphia, PA 19107

RE: Tonolli Corporation Site

Dear Ms. McCartney:

Receipt is acknowledged of Mr. Wassersug's letter of August 12, 1988 to my partner Michael Coren concerning our client DeLeo Recycling. In light of the fact that our client was not a transporter, despite Mr. Wassersug's conclusion to the contrary, but engaged in arms length sales of batteries to Tonolli, we decline to participate and do not intend to provide any offer as to the RI/FS.

We again suggest that you fully research applicable case law which establishes beyond doubt that our client is not a PRP. Being a small business, it simply cannot afford the extensive legal fees that follow from this proceeding. Consequently, we ask that you terminate this matter as to it based upon controlling law.

Very truly yours,

  
STEVEN E. ANGSTREICH

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**RECEIVED**  
CERCLA REMEDIAL ENFORCEMENT SECTION

AUG 18 1988

**EPA - Region III**

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